

CITY OF SAN ANTONIO
ENVIRONMENTAL SERVICES DEPARTMENT
CITY COUNCIL AGENDA MEMORANDUM

TO: Sheryl Sculley, City Manager

FROM: Daniel V. Cárdenas, Director

SUBJECT: Three Stand-By Professional Engineering Services Agreements for National Environmental Policy Act (NEPA) Environmental Consulting 2006

DATE: June 15, 2006

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes selection of engineering professionals and execution of three Standby Professional Services Agreements with Post Buckley Schuh & Jernigan, Inc. (PBSJ), Adams Environmental, Inc. (Adams), and S & B Infrastructure Management, LLC. (S&B), to perform services necessary for compliance with the National Environmental Policy Act in an amount not to exceed \$125,000 annually, per firm. These agreements will be utilized on an as-needed basis for various public works projects for a period of one year, with options, in favor of the City, to extend the terms of the agreements for two (2) additional (1) year performance periods, one or both of which options may be exercised, upon the approval of the City Council.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

The National Environmental Policy Act (NEPA) requires that federally funded projects have an assessment performed on the impacts of the proposed project on such things as air quality, noise, historical/pre-historical features, water quality, and endangered species. The majority of projects that require this type of work are the Public Works' transportation improvement projects. Other City construction projects also utilize this contract, such as drainage improvement projects and some parks projects.

Although some strictly City-funded projects are not subject to the federal NEPA procedures, they are subject to the same historical, water quality, and other environmental rules imposed by NEPA

The types of activities that these consultants will perform under this contract include the following:

1. Standing historical structure surveys;
2. Archeology research, surveys, testing and monitoring during construction;

3. Socioeconomic surveys addressing demographics, neighborhood cohesion, economy, environmental justice and other research that satisfy Section 4(f) of the 1966 federal Transportation Act;
4. Public involvement coordination;
5. Noise and air modeling;
6. Obtaining compliance of the United States Army Corp of Engineers Section 404 permits under the federal Clean Water Act;
7. Section 401 Water Quality, Clean Water Act and Edwards Aquifer Authority issues;
8. Vegetation identification;
9. Endangered species suitable habitats identification and agency consultation, if necessary, and;
10. Hazardous materials assessment.

PBSJ, Adams, and S & B were selected based on the City's standard Request for Qualification (RFQ) process. This selection process satisfies statutory requirements for engineering competency. A selection committee comprised of representatives from the Public Works Department, Planning Department and Environmental Services Department and Economic Development Department. The Contract Services Department assisted with the entire selection process. PBSJ, Adams, and S & B were selected as the best qualified firms out of seven (7) respondents. The submittals were evaluated based on the firm's qualifications, experience, quality of service and previous project performance. The evaluation committee placed emphasis on the core activities of this contract which are prior experience in the permit application process, mitigation plan design, historical investigations and habitat surveys. This type of experience was limited amongst several respondents. Additional categories of consideration included references and financial qualifications. The ranking and evaluation criteria are attached.

Additional points were given to firms based on their local presence, structure as a minority and/or woman-owned business and their commitment to the City's Small Business Economic Development Advocacy (SBEDA) policy.

The contract term of this agreement shall be for a period of one (1) year from the date recited in the enabling ordinance or recited in the final executed documents. Two (2) optional one (1) year performance periods with identical terms and conditions offering the same contract value may be exercised, upon approval by City Council.

POLICY ANALYSIS

Approval of this ordinance is consistent with City Council policy to address environmental issues in a safe and professional manner in accordance with state and federal regulations.

FISCAL IMPACT

Approval of this ordinance will authorize expenditures to be made under these agreements not to exceed \$125,000 annually, per contract. Funding shall be made from the actual project funds, as necessary.

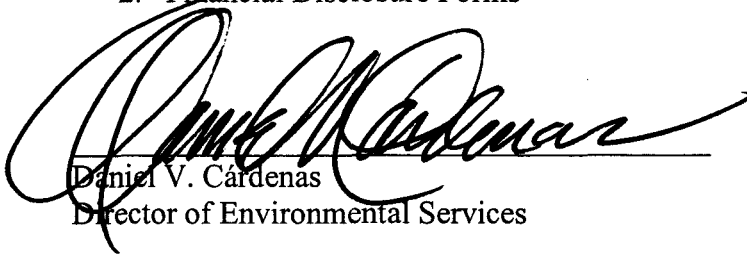
The three firms will be available to provide services on an as needed basis for various environmental monitoring and compliance evaluation and analysis. The cost for their services will be reimbursed in an established hourly rate.

COORDINATION

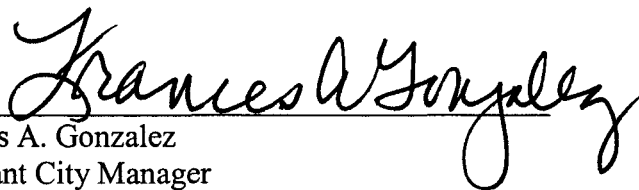
This request for ordinance has been coordinated with the Public Works, Parks and Recreation, Contract Services, Economic Development and Finance Department, as well as the Office of Management and Budget and the City Attorney's Office.

ATTACHMENTS

1. Evaluation Matrix
2. Financial Disclosure Forms

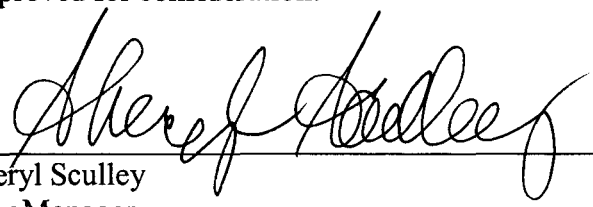


Daniel V. Cardenas
Director of Environmental Services



Frances A. Gonzalez
Assistant City Manager

Approved for consideration:



Sheryl Sculley
City Manager

SCORE SUMMARY
RFQ for Stand-by Professional Services for NEPA Environmental Consulting, 2006

	Maximum Points	Adams Environmental, Inc.	Drash Consulting Engineers	Geo-Marine Inc.	Post, Buckley, Schuh & Jernigan, dba PBS&J	Raba-Kistner Consultants, Inc.	S&B Infrastructure, Ltd.	Turner, Collie & Braden, Inc.
<input type="checkbox"/>								
A - Qualifications	20	17.00	12.60	17.40	19.40	14.00	18.80	17.00
B - Experience	20	18.00	11.60	16.20	19.20	13.60	19.00	17.20
C - Quality of Service	20	16.00	11.60	16.00	18.60	14.20	17.20	14.80
D - Previous Project Performance	20	17.60	11.20	15.20	19.60	13.00	18.40	14.00
Sub-Total	80	68.60	47.00	64.80	76.80	54.80	73.40	63.00
E - Local Business Enterprise	10	10.00	10.00	6.00	6.00	10.00	1.00	6.00
E - Historically Underutilized Enterprise	5	5.00	2.25	1.50	2.75	2.00	1.65	1.75
E - Compliance w/SBEDA Policy	5	2.00	3.00	2.00	4.00	5.00	4.00	5.00
Sub-Total	20	17.00	15.25	9.50	12.75	17.00	6.65	12.75
TOTAL SCORE	100	85.60	62.25	74.30	89.55	71.80	80.05	75.75

**ATTACHMENT C
City of San Antonio**

Discretionary Contracts Disclosure

For use of this form, see Section 2-59 through 2-61 of the CITY Code (Ethics Code)

Attach additional sheets if space provided is not sufficient.

(1) Identify any individual or business entity that is a party to the discretionary contract:

Post, Buckley, Schuh & Jernigan, Inc., d/b/a PBS&J

(2) Identify any individual or business entity which is a *partner, parent* or *subsidiary* business entity, of any individual or business entity identified above in Box (1):

☒ **No partner, parent or subsidiary; or**

List partner, parent or subsidiary of each party to the contract and identify the corresponding party:

Not applicable.

(3) Identify any individual or business entity that would be a *subCONSULTANT* on the discretionary contract.

☐ **No subCONSULTANT(s); or**

List subCONSULTANTS:

Bain Medina Bain, Inc.

Arias & Associates, Inc.

Ximenes & Associates, Inc.

(4) Identify any *lobbyist* or *public relations firm* employed by any party to the discretionary contract for purposes related to seeking the discretionary contract.

☒ **No lobbyist or public relations firm employed; or**

List lobbyists or public relations firms:

¹ A *business entity* means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law. A sole proprietor should list the name of the individual and the d/b/a, if any.

(5) Political Contributions

List all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made to any *current or former member* of CITY Council, any *candidate* for CITY Council, or to any *political action committee* that contributes to CITY Council elections, by any individual or business entity whose identity must be disclosed under Box (1), (2), (3) or (4) above, or by the officers, owners of any business entity listed in Box (1), (2) or (3):

☐ No contributions made; If contributions made, list below:

By Whom Made:	To Whom Made:	Amount:	Date of Contribution:
John L. German	Councilmember Roger Flores, Jr.	\$75	08/04
John L. German	Councilmember Roger Flores, Jr.	\$75	10/04
John L. German	Councilmember Art Hall	\$200	05/05
John L. German	Councilmember Kevin Wolff	\$200	04/05
John L. German	Councilmember Roland Gutierrez	\$100	10/05
John L. German	Councilmember Richard Perez	\$125	11/05
John L. German	Councilmember Kevin Wolff	\$100	3/06
John L. German	Councilmember Art Hall	\$100	3/06
Larry Keith Pyron	Councilmember Kevin Wolff	\$100	3/06


(6) Disclosures in Submittals

Any individual or business entity seeking a discretionary contract with the CITY must disclose any known facts which, reasonably understood, raise a question² as to whether any CITY official or employee would violate Section 2-43 of the CITY Code (Ethics Code), ("conflicts of interest") by participating in official action relating to the discretionary contract.

☒ Party not aware of facts which would raise a "conflicts-of-interest" issue under Section 2-43 of the CITY Code; or

Party aware of the following facts:

This form is required to be supplemented in the event there is any change in the information before the discretionary contract is the subject of council action, and no later than five (5) business days after any change about which information is required to be filed, whichever occurs first.

Signature: 	Title: Vice President/District Director	Date: April 20, 2006
Printed name: John L. German, P.E.	Post, Buckley, Schuh & Jernigan, Inc., d/b/a PBS&J	

² For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.

City of San Antonio
Discretionary Contracts Disclosure

*For use of this form, see Section 2-59 through 2-61 of the City Code (Ethics Code)
Attach additional sheets if space provided is not sufficient.*

(1) Identify any individual or business entity¹ that is a party to the discretionary contract:



Bain Medina Bain, Inc.

(2) Identify any individual or business entity which is a *partner, parent* or *subsidiary* business entity, of any individual or business entity identified above in Box (1):



No partner, parent or subsidiary;

(3) Identify any individual or business entity that would be a *subcontractor* on the discretionary contract.

(4) Identify any *lobbyist* or *public relations firm* employed by any party to the discretionary contract for purposes related to seeking the discretionary contract.



No lobbyist or public relations firm employed;

¹ A *business entity* means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law. A sole proprietor should list the name of the individual and the d/b/a, if any.

(5) Political Contributions

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No contributions made; If contributions made, list below:

By Whom Made:	To Whom Made:	Amount:	Date of Contribution:
Pamela Bain Pamela Bain	Richard Perez Delicia Herrera	\$500.00 \$250.00	August 2005 November 2005


(6) Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city must disclose any known facts which, reasonably understood, raise a question² as to whether any city official or employee would violate Section 2-43 of the City Code (Ethics Code), ("conflicts of interest") by participating in official action relating to the discretionary contract.



Party not aware of facts which would raise a "conflicts-of-interest" issue under Section 2-43 of the City Code; or

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Signature:	Title:	Date:
	Company or D/B/A: Bain Medina Bain, Inc.	February 27, 2006

² For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.

ATTACHMENT C.

City of San Antonio

Discretionary Contracts Disclosure

For use of this form, see Section 2-59 through 2-61 of the CITY Code (Ethics Code)

Attach additional sheets if space provided is not sufficient.

(1) Identify any individual or business entity ¹ that is a party to the discretionary contract:
Arias & Associates, Inc.

(2) Identify any individual or business entity which is a partner, parent or subsidiary business entity, of any individual or business entity identified above in Box (1):
<input checked="" type="checkbox"/> No partner, parent or subsidiary; or
List partner, parent or subsidiary of each party to the contract and identify the corresponding party:

(3) Identify any individual or business entity that would be a subCONSULTANT on the discretionary contract.
<input checked="" type="checkbox"/> No subCONSULTANT(s); or
List subCONSULTANTS:

(4) Identify any lobbyist or public relations firm employed by any party to the discretionary contract for purposes related to seeking the discretionary contract.
<input checked="" type="checkbox"/> No lobbyist or public relations firm employed; or
List lobbyists or public relations firms:

¹ A **business entity** means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law. A sole proprietor should list the name of the individual and the d/b/a, if any.

(5) Political Contributions

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☐ No contributions made; If contributions made, list below:

By Whom Made:	To Whom Made:	Amount:	Date of Contribution:
Robert & Nancy Arias	Friends of Nelson W. Wolfe	\$500.00	March 22, 2005
	Paul Elizondo Campaign	\$500.00	March 22, 2005
	Castro for Mayor Campaign	\$1,000.00	April 29, 2005

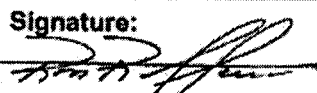
(6) Disclosures in Submittals

Any individual or business entity seeking a discretionary contract with the CITY must disclose any known facts which, reasonably understood, raise a question¹ as to whether any CITY official or employee would violate Section 2-43 of the CITY Code (Ethics Code), ("conflicts of interest") by participating in official action relating to the discretionary contract.

☒ Party not aware of facts which would raise a "conflicts-of-interest" issue under Section 2-43 of the CITY Code; or

Party aware of the following facts:

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Signature: 	Title: Chief Financial Officer	Date: April 18, 2006
Printed name: Ron R. Salinas	Corporate Name or DBA for Proprietorship / Partnership ARIAS ASSOCIATES INC	

¹ For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.

ATTACHMENT C.
City of San Antonio
Discretionary Contracts Disclosure
For use of this form, see Section 2-59 through 2-61 of the CITY Code (Ethics Code)
Attach additional sheets if space provided is not sufficient.

(1) Identify any individual or business entity¹ that is a party to the discretionary contract:

Linda Ximenes

(2) Identify any individual or business entity which is a *partner, parent* or *subsidiary* business entity, of any individual or business entity identified above in Box (1):

☐ No partner, parent or subsidiary; or

List partner, parent or subsidiary of each party to the contract and identify the corresponding party:

Ximenes & Associates, Inc.

(3) Identify any individual or business entity that would be a *subCONSULTANT* on the discretionary contract.

☐ No subCONSULTANT(s); or

List subCONSULTANTS: Ximenes & Associates, Inc.

(4) Identify any *lobbyist* or *public relations firm* employed by any party to the discretionary contract for purposes related to seeking the discretionary contract.

☒ No lobbyist or public relations firm employed; or

List lobbyists or public relations firms:

¹ A *business entity* means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law. A sole proprietor should list the name of the individual and the d/b/a, if any.

(5) Political Contributions

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By Whom Made:	To Whom Made:	Amount:	Date of Contribution:

(6) Disclosures in Submittals

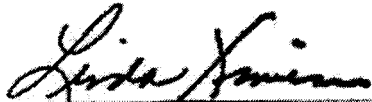
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☒ **Party not aware of facts which would raise a "conflicts-of-interest" issue under Section 2-43 of the CITY Code; or**

Party aware of the following facts:

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Signature:



Printed name: Linda Ximenes

Title: President

Ximenes & Associates, Inc.

Date: March 27, 2006

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City of San Antonio
Discretionary Contracts Disclosure

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Attach additional sheets if space provided is not sufficient.

(1) Identify any individual or business entity¹ that is a party to the discretionary contract:

Adams Environmental, Inc.

(2) Identify any individual or business entity which is a *partner, parent* or *subsidiary* business entity, of any individual or business entity identified above in Box (1):

☐ No partner, parent or subsidiary

(3) Identify any individual or business entity that would be a *subcontractor* on the discretionary contract.

☐ SWCA, Inc.

(4) Identify any *lobbyist* or *public relations firm* employed by any party to the discretionary contract for purposes related to seeking the discretionary contract.

☐ No lobbyist or public relations firm employed

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☐ No contributions made

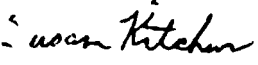
By Whom Made:	To Whom Made:	Amount:	Date of Contribution:

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Any individual or business entity seeking a discretionary contract with the city must disclose any known facts which, reasonably understood, raise a question² as to whether any city official or employee would violate Section 2-43 of the City Code (Ethics Code), ("conflicts of interest") by participating in official action relating to the discretionary contract.

☐ Party not aware of facts which would raise a "conflicts-of-interest" issue under Section 2-43 of the City Code

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Signature: 	Title: President Company or D/B/A: Adams Environmental, Inc.	Date: April 19, 2006
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**ATTACHMENT C.
City of San Antonio**

Discretionary Contracts Disclosure

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Attach additional sheets if space provided is not sufficient.

(1) Identify any individual or business entity¹ that is a party to the discretionary contract:

SWCA, Inc.

(2) Identify any individual or business entity which is a *partner, parent* or *subsidiary* business entity, of any individual or business entity identified above in Box (1):

☒ No partner, parent or subsidiary; or

List partner, parent or subsidiary of each party to the contract and identify the corresponding party:

(3) Identify any individual or business entity that would be a *subCONSULTANT* on the discretionary contract.

☒ No subCONSULTANT(s); or

List subCONSULTANTS:

(4) Identify any *lobbyist* or *public relations firm* employed by any party to the discretionary contract for purposes related to seeking the discretionary contract.

☒ No lobbyist or public relations firm employed; or

List lobbyists or public relations firms:

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☒ No contributions made; If contributions made, list below:

By Whom Made:	To Whom Made:	Amount:	Date of Contribution:


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Signature:  Printed name: CHRISTINE A WESTERMAN	Title: PROGRAM DIRECTOR- NATURAL RESOURCES Corporate Name or DBA for Proprietorship / Partnership SWCA, Inc.	Date: 4/18/06
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ATTACHMENT C.
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Attach additional sheets if space provided is not sufficient.

(1) Identify any individual or business entity¹ that is a party to the discretionary contract:
S&B Infrastructure, Ltd.

(2) Identify any individual or business entity which is a *partner, parent* or *subsidiary* business entity, of any individual or business entity identified above in Box (1):

☐ No partner, parent or subsidiary; or

List partner, parent or subsidiary of each party to the contract and identify the corresponding party:

S&B Infrastructure, Ltd. is a part of S&B Holdings, Ltd.

(3) Identify any individual or business entity that would be a *subCONSULTANT* on the discretionary contract.

☐ No subCONSULTANT(s); or

List subCONSULTANTS:

Ximenes & Associates, Inc.

Gonzalez, Tate & Iruegas, Inc.

HVJ Associates, Inc.

(4) Identify any *lobbyist* or *public relations firm* employed by any party to the discretionary contract for purposes related to seeking the discretionary contract.

☐ No lobbyist or public relations firm employed; or

List lobbyists or public relations firms:

Ximenes & Associates, Inc.

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Signature:  Printed name: Daniel O. Rios, PE	Title: Senior Vice President Corporate Name or DBA for Proprietorship / Partnership: S&B Infrastructure, Ltd.	Date: April 20, 2005
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